

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

CR 07-374 (JMR/FLN)

Plaintiff,

v.

**REPORT AND
RECOMMENDATION**

Mark Julian Lee, 01,

Defendant.

William T. Otteson, Assistant United States Attorney, for the Government.
Robert W. Owens for Mark Julian Lee

The above-referenced matter came before the undersigned United States Magistrate Judge on November 21, 2007, on Defendant's Motion to Suppress Evidence Obtained as a Result of Search and Seizure [#30].

Based upon the files, records, and proceedings herein, it is **HEREBY RECOMMENDED** that Defendant's Motion to Suppress Evidence Obtained as a Result of Search and Seizure [#30] be **DENIED** as moot based upon the Government's representation that no searches or seizures were conducted.

DATED: November 30, 2007

s/ Franklin L. Noel
FRANKLIN L. NOEL
United States Magistrate Judge

Pursuant to the Local Rules, any party may object to this Report and Recommendation by filing with the Clerk of Court and serving on all parties, on or before **December 14, 2007**, written objections which specifically identify the portions of the proposed findings or recommendations to which objection is being made, and a brief in support thereof. A party may respond to the objecting party's

brief within ten days after service thereof. All briefs filed under the rules shall be limited to 3,500 words. A judge shall make a de novo determination of those portions to which objection is made.

Unless the parties are prepared to stipulate that the District Court is not required by 28 U.S.C. § 636 to review a transcript of the hearing in order to resolve all objections made to this Report and Recommendation, the party making the objections shall timely order and cause to be filed by **December 14, 2007**, a complete transcript of the hearing.

This Report and Recommendation does not constitute an order or judgment of the District Court, and it is, therefore, not appealable to the Circuit Court of Appeals.